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Alvin S. Blum

Date of signature 6/21/04

IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

APPLICANT: ALVIN BLUM SERIAL NUMBER : 10/663,887

FILED: 9/16/03 GROUP ART UNIT: 3751

DOCKET NUMBER: B70326 EXAMINER: HUYNH, KHOA D

FOR: DISPOSABLE FEMALE URINAL

AMENDMENT

Commissioner of Patents and Trademarks

SIR,

In response to the office action of 6/3/04, please amend the application as follows:

THE CLAIMS REMAIN UNCHANGED.

REMARKS

In the office action, all of the claims 1-16 were rejected under 35 USC 103(a) as being unpatentable over Iwakura(GB2188545) in view of Willis(2690568). Examiner concedes that '545 does not teach applicant's claimed tubular elements. Examiner indicates that '568 teaches those elements, and that it would be obvious to combine the tubular element teaching of '568 with the device of '545. Examiner provides no evidence in the prior art for teaching this combining.

It is respectfully submitted that the application is improperly rejected for want of a prima facie showing of obviousness.

It is respectfully submitted that the invention as claimed is unobvious over the prior art for the following reason:

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure. In re Vaeck, 947 F.2d 488, USPQ 2d 1438 (Fed.Cir. 1991).